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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
BOTTS, MICHAEL K	

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/822,312	HENNING ET AL.	
	Examiner	Art Unit	
	Michael K. Botts	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 August 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This is a Final Office Action on the merits. This action is responsive to the following communication: Amendment, which was filed on August 30, 2006.

2. Claims 1-24 are currently pending in the case, with claims 1, 12, and 18 being the independent claims.

3. Claims 1-24 are rejected.

Claims Rejections – 35 U.S.C. 112, First Paragraph

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. **Claims 1-24** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The claims specify "*receiving a selection of a second web link subordinate to the first web link, the second web link requiring user interaction; mapping the second web link to the web diagram data structure . . ..*" See, independent claim 1. The specification teaches the exact opposite, stating: "As should be appreciated, at this point, only those web pages and/or links not requiring user interaction (e.g., link selection or data input) are parsed by the web diagramming module." See, disclosure, page 12, lines 5-8.

5. **Claims 1-24** are additionally rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claims specify "*receiving a selection of a second web link subordinate to the first web link, the second web link requiring user interaction; mapping the second web link to the web diagram data structure . . ..*" See, independent claim 1. There is no teaching in the original claims or specification enabling this limitation. In fact, the specification teaches against the limitation, stating: "As should be appreciated, at this point, only those web pages and/or links not requiring user interaction (e.g., link selection or data input) are parsed by the web diagramming module." See, disclosure, page 12, lines 5-8.

6. In the interest of compact prosecution, the application is further examined against the prior art, as stated below, upon the assumption that the applicants may overcome the above stated rejection under 35 U.S.C. 112, first paragraph.

Claims Rejection – 35 U.S.C. 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Astiz, et al. (U.S. Patent 6,035,330, issued March 7, 2000) [hereinafter "Astiz"].

Regarding **independent claim 1, as amended**, Astiz teaches:

A method for tracking and diagramming navigated portions of a web site, comprising:

receiving a selected web site;

automatically parsing the selected web site for web links subordinate to the selected web site not requiring user interaction;

mapping the selected web site and parsed web links to a web diagram data structure;

receiving a selection of a first web link from the parsed web links as a starting point for browsing a path through the selected web site;

mapping the first web link to the web diagram data structure;

receiving a selection of a second web link subordinate to the first web link, the second web link requiring user interaction;

mapping the second web link to the web diagram data structure; and

creating and displaying a web diagram from the web diagram data structure showing a diagram node for each of the selected web site, the parsed web links subordinate to the selected web site not requiring user interaction, and the selected second web link.

(See, Astiz, figures 1-11, and col. 1, line 1 through col. 18. line 7, specifically see, col. 11, line 26 through col. 13,lline 12, teaching automatically parsing a web site for subordinate web links, mapping, browsing and displaying a web diagram (map).

It is noted that diagramming during navigation of is expressly part of the Astiz invention. See, Astiz, col. 10, lines 50-58, teaching that if a user is following a link and is directed to a web site that is not on the web site map, the user is "prompted to indicate whether he wants the map maker to create a map in real time for that web site." See also, Astiz, col. 11, lines 26-58, similarly teaching mapping in real time.

Astiz specifically teaches to parse and map the entire web sites requested, and to display the results. There is no limitation on the parsing and mapping functions. The mapping stop when the cite "requires a user interaction."

It is further noted that access to each of the hyperlinks that are parsed and mapped would have been dependent on "user interaction" if the page on which the hyperlink appeared were being viewed by a user. In other words, if a user was browsing a web site, without use of the mapping invention, each hyperlink would have to be clicked on separately to access the linked data. By use of the invention of Astiz, the clicking on the hyperlinks is automatic during the mapping process and the results are displayed in the map. See, Astiz, col. 7, line 9 through col. 13, line 31, teaching the map maker. See also, claim 25, teaching that the map outline is an unrestricted outline of the hierarchy of files, further indicating no limitations.

One possible limitation, which is a clear exception, is taught in Astiz, where a portion of a web page may be protected by a security password. See, Astiz, col. 10,

lines 22-26, teaching recognition of a secured area and designating the link as such with a security icon. Astiz does not expressly teach mapping the secured area after it is properly accessed by a valid password, but it would have been obvious to one of ordinary skill in the art at the time of the invention to have so mapped the secured area.

The suggestion or motivation for doing so is expressed in Astiz that the map maker function would be of value to a web site administrator, and Astiz further teaches that certain portions of an administrator generated map may be protected from outside access.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention for one of ordinary skill in the art at the time of the invention to have used the map maker of Astiz with the modification to further map password secured areas and displayed the results.)

Regarding **dependent claim 2, as amended**, Astiz teaches:

The method of claim 1, further comprising:

in response to receiving a selection of the first web link, launching a web browser control for displaying a web page representing the selected first web link and for browsing any links subordinate to the selected first web link;

wherein receiving a selection of a second web link includes receiving an indication of a user browsing to a web link level subordinate to a level of the selected first web link; and

receiving a selection of the second web link from the web link level subordinate to the level of the selected first web link.

(See, Astiz, col. 12, line 62 through col. 13, line 12, teaching mapping and navigating subordinate web sites.)

Regarding **dependent claim 3**, Astiz teaches:

The method of claim 1, whereby receiving the selected web site includes receiving an address for the selected web site at a web diagramming application.

(See, Astiz, figures 4-11, and col. 7, line 9 through col. 18, line 7, specifically, figure 10 and col. 11, line 59 through col. 12, line 14, teaching receiving an address for a selected web site at a web diagramming (mapping) application.)

Regarding **dependent claim 4, as amended**, Astiz teaches:

The method of claim 1, further comprising during automatically parsing the web site for web links subordinate to the web site, identifying for diagramming subordinate links that may be automatically browsed without user interaction or data input.

(See, Astiz, figure 10, and col. 12, lines 15-36, teaching parsing the web side for subordinate web links and diagramming the subordinate links.)

Regarding **dependent claim 5, as amended**, Astiz teaches:

> *The method of claim 1, whereby automatically parsing the web site for web links subordinate to the web site includes automatically parsing the web site to a specified maximum number of links.*

(See, Astiz, figure 10, and col. 12, lines 15-36, teaching limiting the parsing levels to set boundary parameters. Astiz does not expressly teach the boundary parameters as including limiting the automatic parsing to a specified maximum number of links.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use a set number of links as a limit for automatically parsing a web site for subordinate web sites for the obvious and beneficial purpose of limiting the scope of the web search. With web sites linking to web sites linking to web sites, and on and on, there would be an almost endless map of sites. This would tax the hardware limits, time to search, and the bandwidth available to everyone. Therefore, it would be obvious and beneficial to limit the scope of the search by the number of links.)

Regarding **dependent claim 6, as amended**, Astiz teaches:

> *The method of claim 1, whereby automatically parsing the web site for web links subordinate to the web site includes automatically parsing the web site to a specified maximum number of discovery levels.*

(See, Astiz, figure 10, and col. 12, lines 15-36, teaching limiting the parsing levels to set boundary parameters. Astiz does not expressly teach the boundary parameters as including limiting the automatic parsing to a maximum number of discovery levels.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use a maximum number of discovery levels as a limit for automatically parsing a web site for subordinate web sites for the obvious and beneficial purpose of limiting the scope of the web search. With web sites linking to web sites linking to web sites, and on and on, there would be an almost endless map of sites. This would tax the hardware limits, time to search, and the bandwidth available to everyone. Therefore, it would be obvious and beneficial to limit the scope of the search by the number of discovery levels.)

Regarding **dependent claim 7, as amended**, Astiz teaches:

> *The method of claim 1, whereby creating and displaying a web diagram from the web diagram data structure showing a diagram node for each of the selected web site and the parsed web links is performed before receiving a selection of the first web link.*

(See, Astiz, figures 6-11, and col. 8,lines 57-67, teaching displaying the parse web links in a diagram.)

Regarding **dependent claim 8, as amended**, Astiz teaches:

> *The method of claim 7, whereby receiving a selection of a first web link from the any parsed web links as a starting point for browsing a path through the web site includes receiving a selection of a first web link from the displayed web diagram.*

(See, Astiz, col. 10, line 50 through col. 11, line 3, teaching access to any identified web page directly from the displayed map.)

Regarding **dependent claim 9, as amended**, Astiz teaches:

The method of claim 8, further comprising automatically finding and mapping web links contained on a web link level subordinate to a web link level containing the selected first web link to the web diagram data structure.

(See, Astiz, col. 12, lines 15-36, teaching automatic mapping of subordinate (child) web page.)

Regarding **dependent claim 10, as amended**, Astiz teaches:

The method of claim 9, prior to automatically finding and mapping web links contained on a web link level subordinate to a web link level containing the selected first web link to the web diagram data structure, further comprising receiving a selection of an expanded mapping and wherein automatically finding and mapping is in response to receiving a selection of an expanded mapping.

(See, Astiz, col. 11, line 59 through col. 13, line 12, teaching expanding the mapping for web links found in response to selecting the first web link.)

Regarding **dependent claim 11, as amended**, Astiz teaches:

The method of claim 10, whereby creating and displaying a web diagram from the web diagram data structure further comprises showing a diagram node

for each of the web links contained on a web link level subordinate to a web link level containing the selected first web link to the web diagram data structure.

(See, Astiz, figure 6, and col. 11, line 59 through col. 13, line 12, teaching displaying the web diagram as specified.)

Regarding **independent claim 12, as amended**, Astiz teaches:

A method for tracking and diagramming navigated portions of a web site, comprising:

displaying a diagram of a structure of a selected web site, the diagram including diagram nodes for the selected web site and for any web links associated with the selected web site that may be navigated without user interaction;

receiving a selection of a first web link from the diagram as a starting point for browsing a path through the selected web site;

mapping the selected first web link to the structure;

receiving a selection of a second web link subordinate to the first web link, the second web link requiring user data input;

mapping the second web link to the structure after input of the user data; and

automatically updating the diagram to add a diagram node for the selected second web link whereby the diagram node for the selected second web link is

added to the diagram in a position illustrating a relationship of the selected second web link to other nodes in the diagram.

(See, Astiz, figure 4-11, and col. 7, line 9 through col. 18, line 7, specifically, figure 10 and col. 11, line 59 through col. 12, line 14, teaching mapping and updating the map.

It is noted that diagramming during navigation of is expressly part of the Astiz invention. See, Astiz, col. 10, lines 50-58, teaching that if a user is following a link and is directed to a web site that is not on the web site map, the user is "prompted to indicate whether he wants the map maker to create a map in real time for that web site." See also, Astiz, col. 11, lines 26-58, similarly teaching mapping in real time.

Astiz specifically teaches to parse and map the entire web sites requested, and to display the results. There is no limitation on the parsing and mapping functions. The mapping stop when the cite "requires a user interaction."

It is further noted that access to each of the hyperlinks that are parsed and mapped would have been dependent on "user interaction" if the page on which the hyperlink appeared were being viewed by a user. In other words, if a user was browsing a web site, without use of the mapping invention, each hyperlink would have to be clicked on separately to access the linked data. By use of the invention of Astiz, the clicking on the hyperlinks is automatic during the mapping process and the results are displayed in the map. See, Astiz, col. 7, line 9 through col. 13, line 31, teaching the map maker. See also, claim 25, teaching that the map outline is an unrestricted outline of the hierarchy of files, further indicating no limitations.

One possible limitation, which is a clear exception, is taught in Astiz, where a

portion of a web page may be protected by a security password. See, Astiz, col. 10, lines 22-26, teaching recognition of a secured area and designating the link as such with a security icon. Astiz does not expressly teach mapping the secured area after it is properly accessed by a valid password, but it would have been obvious to one of ordinary skill in the art at the time of the invention to have so mapped the secured area.

The suggestion or motivation for doing so is expressed in Astiz that the map maker function would be of value to a web site administrator, and Astiz further teaches that certain portions of an administrator generated map may be protected from outside access.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention for one of ordinary skill in the art at the time of the invention to have used the map maker of Astiz with the modification to further map password secured areas and displayed the results.)

Regarding **dependent claim 13, as amended**, Astiz teaches:

The method of claim 12, further comprising:

in response to receiving a selection of the first web link, launching a web browser control for displaying a web page representing the selected first web link and for browsing links from the selected web site associated with the selected first web link;

wherein receiving a selection of the second web link includes receiving an indication of a user browsing to the second web link from the displayed web page.

(See, Astiz, col. 12, line 62 through col. 13, line 12, teaching mapping and navigating subordinate web sites.)

Regarding **dependent claim 14, as amended**, Astiz teaches:

The method of claim 13, whereby receiving an indication of a user browsing to a second web link from the displayed web page requires user interaction with the web browser control for browsing to the second web link.

(See, Astiz, col. 12, lines 15-36, teaching user interaction to browse to a second link.)

Regarding **dependent claim 15, as amended**, Astiz teaches:

The method of claim 13, further comprising automatically finding and mapping to the web diagram data structure web links not requiring user interaction found in response to browsing to the second web link from the displayed web page.

(See, Astiz, col. 11, line 4 through col. 13, line 25, teaching user interaction to browse to a second link and automatically mapping.)

Regarding **dependent claim 16, as amended**, Astiz teaches:

> *The method of claim 15, prior to automatically finding and mapping to the web diagram data structure web links found in response to browsing to the second web link from the displayed web page, further comprising receiving a selection of an expanded mapping wherein automatically finding and mapping is in response to receiving a selection of an expanded mapping.*

(See, Astiz, col. 11, line 4 through col. 13, line 25, teaching user interaction to browse to a second link and automatically mapping.)

Regarding **dependent claim 17**, Astiz teaches:

> *The method of claim 16, further comprising automatically updating the diagram to add diagram nodes for the web links found in response to browsing to the second web link from the displayed web page whereby the diagram nodes for the web links found in response to browsing to the second web link from the displayed web page are added to the diagram in positions illustrating a relationship of the web links found in response to browsing to the second web link from the displayed web page to other nodes in the diagram.*

(See, Astiz, col. 11, line 4 through col. 13, line 25, teaching user interaction to browse to a second link and automatically mapping.)

Regarding **claims 18-24**:

Claims 18-24 incorporate substantially similar subject matter as claimed in claims 1, 2, 7, 8, 15, 16, and 11, respectively, and are rejected along the same rationale.

8. It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Response to Arguments

Applicants' arguments filed August 30, 2006 have been fully considered, but they are not persuasive.

Regarding rejections of claims 1-4 and 7-24:

Applicants argue that the reference, Astiz, fails to teach or suggest "creating and displaying a web diagram from the web diagram data structure showing a diagram node for each of the selected web site, the parsed web links subordinate to the selected web site not requiring user interaction, and the selected second web link." See, Amendment, pages 10-15.

The Examiner disagrees.

Applicant supports the argument stating that "Astiz teaches that tracking and

diagramming during navigation of the web sites as detrimental." See, Amendment, page 12. In fact, diagramming during navigation of is expressly part of the Astiz invention. See, Astiz, col. 10, lines 50-58, teaching that if a user is following a link and is directed to a web site that is not on the web site map, the user is "prompted to indicate whether he wants the map maker to create a map in real time for that web site." See also, Astiz, col. 11, lines 26-58, similarly teaching mapping in real time.

Astiz specifically teaches to parse and map the entire web sites requested, and to display the results. There is no limitation on the parsing and mapping functions. The mapping stop when the cite "requires a user interaction."

It is noted that access to each of the hyperlinks that are parsed and mapped would have been dependent on "user interaction" if the page on which the hyperlink appeared were being viewed by a user. In other words, if a user was browsing a web site, without use of the mapping invention, each hyperlink would have to be clicked on separately to access the linked data. By use of the invention of Astiz, the clicking on the hyperlinks is automatic during the mapping process and the results are displayed in the map. See, Astiz, col. 7, line 9 through col. 13, line 31, teaching the map maker. See also, claim 25, teaching that the map outline is an unrestricted outline of the hierarchy of files, further indicating no limitations.

One possible limitation, which is a clear exception, is taught in Astiz, where a portion of a web page may be protected by a security password. See, Astiz, col. 10, lines 22-26, teaching recognition of a secured area and designating the link as such with a security icon. Astiz does not expressly teach mapping the secured area after it is

properly accessed by a valid password, but it would have been obvious to one of ordinary skill in the art at the time of the invention to have so mapped the secured area.

The suggestion or motivation for doing so is expressed in Astiz that the map maker function would be of value to a web site administrator, and Astiz further teaches that certain portions of an administrator generated map may be protected from outside access.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention for one of ordinary skill in the art at the time of the invention to have used the map maker of Astiz with the modification to further map password secured areas and displayed the results.

Additional Prior Art

9. The following prior art is made of record and not relied upon that is considered pertinent to applicants' disclosure:

Horovitz, et al. (U.S. Patent 6,389,409 B1) teaching dynamic generation of classification of web site content.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS for the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael K. Botts whose telephone number is 571-272-5533. The examiner can normally be reached on Monday through Friday 8:00-4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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MKB/mkb

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